P 22

G. R. S. IX-5]

Previous references.

265-10 Sls 11,12,14,30,32,34-36
205-09 Sls 33,37,38,40,41 1915.6

(9. 7m)

File No. 102-15

Serial Nos. 1 – 8

Later references.

8373 Sls 7-10, 11 & 15/16-19 etc.)

P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 8

Part B for May '17

SUBJECT.

Acquisition of old Sur. nos. 95, 96, & 97 the Sampangiahalli village, Bangalore T.V. for the extension of Cubbon Park.

To the Hon'. President City Mpl C.l Bangalore
" Supdt Govt gardens.
No 9. 15346-8 dt. 14-5-17

Records the papers re the
& communicates the same.

W D 88—GPB—50,000—24-7-16

G.R.S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT.

(Gen: Mis)

NOTES.

File No. 102-15

FILE HEADING.

Acquisition of old Sur: Nos 95, 96 & 97 of the Sampigahalli village, Bangalore Tk, for the extension of the Cubbon Park

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—35,000—15 6-12

G. R. S. 12]

General and Revenue Secretariat. | fm File No. 102 of 1915

Serial No.	
	1 & 2 From the Presdt, Mpl Council, Bangalore No. 677 & 69 dts

For previous corren on the subject, Vide fm file No. 205 of 1909

With refce to the above, forwards copy of the Bangalore DC's letter No R. 5300 & 22. 5 & 15 and states that as no private right exists over Sur: nos 95 & 97 of the Sampige-halli village which are set apart for a public purpose & are prohibited from being converted into private property, and that as Sur: No. 96 of the same village is an unassessed waste since the time of the original survey, no question of compensation arises.

1. The copy of the communication now sent is the same as the enclosure to St. 40 above.

2. Among the file of papers of the D C's office now subd, there is a mahazar from which it is seen that the Sur: nos in question are in the possession of private persons who from time to time exercised the right of sale over them. Moreover the G.O. of 1886, refd to by the President of the Bangalore Municipal Council, only directs that one of the Sur: nos, viz No. 97 should not be turned into private property. It is therefore a question whether it is not necessary to institute acquisition proceedings in respect of Charitable endowments

3. Subd with a draft for approval & other addns

St 6 ms
10/7/15

4 Issue

10/7/15

11349/1058 3

G. R. S. 12]

General and Revenue Secretariat. | Gen File No. 102 of 1915

Serial No.	
2	To the D.C. Bangalore. No. C.550 & 14.7.15. In contn of Gen.7. No. 205-09-4.1 & 16-6-15, forwards copy of Sl 1, and requests that enquiry may be made as whether, in spite of G.O. No. C. 806 & 18.10.1886, the Sur: Nos in question came into the possession of private parties and what rights they possess in respect of them. To the President, Mpl Council, Bangalore & Superdt, Govt Gardens. No. C 557-2 & 14.7.15 Forwards copy of the above.
3	From the D.C. Bangalore No. S 801 & 6.6.1916 Forwards records in connection with Survey Nos 95, 96 & 97 of Sampigehalli village, Bangalore Ta & states that the survey nos have been in the enjoyment of private persons for a long time & suggests therefore that the lands may be acquired under the Land Acquisition Regulation & the cases referred to the Dt. Judge for determination of the claims under Sec 18 of the Regulation.
	5. In Notification No. G.307-Gr.M. 205-09-11 & 14th July 1910 lands comprising Survey Nos. 95, 96 & 97 of the Sampigehalli village, Bangalore Taluk, were ordered to be acquired along with other Survey Nos. for the improvement of the Cubbon Park
	6. The President, Bangalore city Municipal Council having in his letter No. 185 & 12th Feb. 1913 reported that there was no need to acquire the said Survey Nos. as Sur. No 96 is an unassessed waste belonging to the Municipality and Nos. 95 & 97 are

Plan T

Plan Sin linked file

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

G. R. S. 12]

General and Revenue Secretariat. | Fm File No. 102 of 1915.

Serial No.	
	are Kharab lands assigned for charitable purposes, the deputy Comsr Bangalore dt was addressed in the matter. On the latter
R in Lands file	stating that the lands are in the possession of private parties and have therefore to be acquired under the Land Acquisition Regn, the Correspondence was recorded and the acquisition of the lands directed to be completed early in G.O. No. G. 14210-14 / Fm 205-09-41 dt 16th June 1915.
P.W.D I	7. The President Bangalore city Municipal Council having again represented in his No. 677 dt 15th June 1915 that, for reasons already given by him, no question of compensation arises in the case of the Survey Nos in question the deputy Comsr Bangalore dt
Bl in Lands file	was asked to enquire and report how in spite of G.O. No. C. 806 dt 18th Oct 1886 (directing that one of the said Survey nos should not be turned into private property, the lands in question came into the possession of private parties and what rights they posses in respect of them.
P.W.D II	8. The Dy: Comsr. Bangalore dt has now submitted his report and a perusal of the Vernacular records received with it discloses the following facts:—
	9. S.No. 95. — Half the land comprising this Sur. No. was bestowed on Mr. Honnappa Son of Narnappa on 19.6.1907 as a gift by Puttanna Son of Subbasetti Chamappa, the previous owner (vide
Flag E	Copy of registered gift deed). Honnappa exchanged this land with A. Shamanna for the other half of the same Sur. No. which he is in possession of since then.
	10. The other half of the Sur. No. was purchased by Bache Rao Son of Bapu Rao from A. Shamanna the owner, for Rs. 300/- on 31.1.1910.
Flag F	(vide Copy of Sale deed). Sankara Rao brother of Bache Rao is

NOTE—Contn. sheet.

GPB —70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | for File No. 102 of 1915.

Serial No.

now managing the land as it appears that the brothers belong to an undivided family.

11. Survey No. 96. — Mariappa son of chickkauna is the present owner of this Survey no. He is the sole male Survivor of his family. This land was the subject of a Civil Suit between his father and his uncle chickka mariappa in the year 1901-02 in O.S. No. 1119 on the file of the Court of the Principal Munsiff of Bangalore, in which it was decreed that the land should be equally divided between them. (Vide Copy of Judgment). Flag H

After his uncle chickka Mariappa's death without issues, he (Mariappa Son of chickka) appears to have come into possession of the whole land. It is stated that his father was paying tax to the Bangalore city Municipality for the house situated on this land (Vide copy of receipt dated 22.3.02 granted by the Municipality). Flag G

12. Survey No. 97. — Shamanna son of Appurayappa is the present owner of this land. He inherited this land and half of Sur. No. 95 from his father. The latter he subsequently exchanged with Hannappa for the other half of the same Sur. no which he later on sold to Mr. Bache Rao for Rs. 300/-.

In 1878 the city Municipality appears to have contested that a portion of these lands belonged to the Muncty. Whereupon Mr Appurayappa (the father of the present owner) filed a suit against the Municipality. This suit was decided in his favour thus establishing his right in the land. (Vide Copy of Judgment) Flag D.

When a dispute arose between Appurayappa & his brother Subbasettara Puttanna about the division of their ancestral property Mr. B.V. Ramaswami chetty, Advocate, was appointed Panchayda-

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(6)

10582

General and Revenue Secretariat. | Fin. File No. 102 of 1915.

Serial No.

to settle the dispute and the division of the property as awarded by him on 13.12.1901 was accepted by both of them & the deed was accordingly registered. The land in question formed part of the property so divided (vide copy of the deed).

Flag C

The present owner Shanmania also states that seeing that the land was left in the undisturbed possession of his ancestors even after the issue of the G.O. of 18th Oct 1886, it has to be presumed that for some reason or other their right in the land was established.

13. As regards the question how Sur. No. 97 which was set apart for a charitable purpose came into the possession of private owners in the face of the G.O. of 18th Oct 1886, the Dy: Contr states that this fact can not be ascertained as none of the village officers of that time are now alive.

14. Though the Survey nos in question are shown as Kharab in the Khetwar Register the names of khatedars are also shown against each. (Vide enclosure to Sl. no in Fin. file 205-09 Revenue)

Flag B in linked file

15. It will thus be seen that the Sur. nos in question are actually in the enjoyment of private persons. The Dy: Contr. holds the same view. His recommendation that the lands should be acquired under the Land Acquisition Regulation has therefore to be accepted.

L. III

16. Submitted with a draft.

Recd 22/8/16

17. Draft Submitted.

2982 / 23.8

2nd Member) 23/8/16

Issue 24/8/16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

10583-15
5383-16

G. R. S. 12]

General and Revenue Secretariat.

Gr. File No. 102 of 1915.

Serial No.	
4	To, The President. B.C. Mn. Council No G 2707 dt 25-8-16 Requests that the lands referred to in Sl 3 may be immediately acquired and placed them in the possession of the Supdt Govt- Gardens. To, The Deputy Comm Bangalore " Supdt Govt Gardens. No G 2708-9 dt 25-8-16 Forwards copy of the above.
5	From the President Bangalore cif Mnl Council No 213 dt 15-12-16 With reference to the above states that preliminary enquiries in the case have just been completed & awards have to be passed that after it is done the properties will be taken possession of & handed over to the Supdt Govt Gardens. Submitted 19/12/16 Await further Communication 21/12/16
6	Letter no 401 dt 3/4.5.17 from The Hon. President Municipal Council Bangalore States that Survey nos 95, 96 & 97 of Sampigehally Village have been acquired & that arrangements have been made to hand them over to the Supdt. Govt Gardens P.T.O

NOTE—Contn. sheet.

GPB—70,000—17-12-15

95-78

WD 1233—GPB—60,000—1-12-16—S.

8

G. R. S. III-2]

General and Revenue Secretariat.

Govt File No. 102 of 1915.

Serial No.	
	draft recording is submitted Rom 7.5.17 VS Diwan 8/5/17
7	To The Hon'ble President City Mul: Council Bangalore Supdt Govt Gardens No G. 1534-79 14/5/17 Records Sl 6
8	To The Hon'ble President City Mul Council Bangalore No G 1534-8 of 14/5/17 Forwarded a copy ref to in Sl 7

B

(1) 4

Gen: Mis: File No. 102-15
~~205-09~~
86 ~~42~~. 1.

W.O. No. 677
Encls: 2 (one letter copy
one ver: file)

City Municipal Office, Bangalore,
Dated 19th J u n e 1915.

Dear Mr. D'Souza,

With reference to your Office D.O.No.G.1461/ G.M.205-09-37 dated the 18th August 1913, regarding the acquisition of certain lands for the extension of the Cubbon Park, I send herewith copy of letter No.R.5300 dated 22nd ultimo received from the Deputy Commissioner, Bangalore District, in the matter, for your information.

2. I do not understand how any one can be said to have a private right over the lands (Viz.S.Nos.95 and 97) which are - set apart for a public purpose, as stated by the Deputy Commissioner and I do not see how the persons alleged to be in possession of them are entitled to any compensation. Government Order No. Camp Mysore, 806 dated 18th October 1886 expressly prohibits the convertion of these lands into private property.

3. I also consider that no compensation is allowable for Survey No.96, as it is ascertained to be an unassessed waste - since the time of the original Survey.

4. I enclose for reference and return the Varnacular

records

3 Cg/15

(2)

W

G. R. S. 26]

SUBJECT.....

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Diary No. of letter replied to 11349

Section Jevi: Mis

File No. ~~205-09~~ 102-15

Serial No. 2

General and Revenue Secretariat

( )

, the 191

No. C 550 / one file

Date of issue 14 June 15

Signed by Ger N. Rama Rao

To

The Deputy Commr.,

, Bangalore Dt.

Sir,

In continuation of G.O. No. C 14210 Fin 205-09-41 dated the 16th June 1915, I am directed to forward herewith Copy of letter No. 677 dated the 19th idem, together its enclosures in original, received from the President of the Municipal Council, Bangalore City, regarding the acquisition of the old Sur: Nos 95, 96 and 97 of the Sampigehalli village, Bangalore Taluk, and to enquire

over.

State of
now in the [illegible] Govt. Order No
C. 806 dated the 18th October 1886,
therein referred to, the lands in question
came into the possession of private
parties and what rights they have forfeited
in respect of them. The matter
may be kindly enquired into and
a detailed report submitted early.
2 Encl to

I have &c,

Jr Off Secretary.

Copy of the above is forwarded to (1)
the Presidt. Municipal Council, Bangalore
&c. for [illegible] (2) the Superintt. Govt Gardens,
for info.

By order,

Jr Off Secretary.

List of enclosures

bns

Copied by

Examined by

C P S 50,000 11 2 14

1058-3
15-16
G.M.
102-15
£3

(3 12

Office of the Deputy Commissioner,

Bangalore District.

Dated Bangalore, the 2nd June 1916.

From

K. Chandy, Esquire, B.A.,

Deputy Commissioner,

Bangalore District.

To

D.N. Narasinga Rao, Esq., B.A., B.L.,

Secretary to the Government of Mysore,

General Department,

Bangalore.

S i r ,

With reference to your letter No. G.550/G.M.102-15-1 of the 14th July 1915, enquiring how original survey Nos. 95, 96 and 97 of the Sampigehalli village, Bangalore Taluk, came into the possession of the private parties in spite of the Government Order No (Camp) 806 of the 18th October 1886, I have the honor to submit herewith the vernacular file of papers ending with the Bangalore Taluk Amildar's report No. 825/826 dated 20th December 1915 on the subject and to state as follows:-

From the enquiries held by the Amildar it is seen that survey Nos.95 and 97 have been in the enjoyment of private persons for a very long time and that it cannot be ascertained at this distance of time why the Government Order of 18th October 1886 directing that the tope in question should not be turned into private use, was not given effect to, as the village officials of that time are not alive.

Survey No. 96, though classed as kharab has been in the enjoyment of private persons for over twelve years.

In the

From

The Deputy Commissioner
Bangalore East

To

The Secretary to Govt of
Mysore, Revenue Dept
Bangalore

Dated 24-9-

Despatched 5-

Received

General No.
No. —

Enclosure No.

Subject

Submits Report on
connection with survey
Nos 95, 96 & 97 of Sani-
-kigehalli village, Begur
Hobli

(4 13

In the above circumstances, it seems preferable to acquire these lands under the Land Acquisition Regulation and refer the cases to the District Judge for determination of the claims under section 18 of the Regulation.

I have the honor to be,

S i r ,

Your most obedient servant

K Wandy

Deputy Commissioner,
Bangalore District.

V 248

(5 14

G. R. S. 26]

Gen. File No. 102-15
Serial No. 4

Diary No. of letter replied to

No. G 2707

General and Revenue Secretariat
( )
, *the* 191 .

To The President, Bangalore City Municipal Council.

Date of issue 25.8.16

Signed by Mr. S E Jayaramaiya, Sir,

P.W.D I.

With reference to the correspondence ending with your letter No. 677 dt 15-6-15 regarding the acquisition of Survey Nos. 95, 96 & 97 of Sampigehalli village, Bangalore Taluk, for the improvement of the Cubbon Park, I am directed to state that, whatever the official records might show, private parties are setting up a title of their own to the lands in question and that

P.T.O. over.

SUBJECT.

it is therefore desirable to acquire them under the provisions of the Land Acqn Regn If the allegation regarding private ownership be true Govt would by reason of the acquisition under the L.A. Regn get an indefeasible title. If on the other hand, the allegation should be unfounded, the Land Acquisition officer would award no compensation to the persons claiming the lands as their own. I am accordingly to request that immediate steps may be taken to acquire the said lands in accordance with Notfn No G 307/Fy 205-09-11 dy 14th July 1910 and place them in the possession of the Supdt. Govt. Gardens.

The action taken in the matter may be kindly intimated for the information of Govt.

I have &c

Keete

23/1/13

For Secretary to Govt, Revenue Dept.

List of enclosures

Memo No.

Copy of the above is forwarded (1) to the Deputy Comr Bangalore &c., for information with reference to the correspondence ending with

Copied by

Examined by

GPB—25.000—4-3-13

(6 16

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

with his letter No. S.807 dt 6th June 1916 + with the Vernacular records received therein

(2) to the Supdt. Govt. Gardens, for information.

By order,

Secto 23/8/16

For Secretary to Govt., Genl. Dept.

VB

GPB—20,000—7-7-14

B. M. 109]

5383
5883

DIARY NO.....

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED...12-12-...1916.

G.M.
102-15
5

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P. PUTTANNA CHETTY, ESQ.,
Honorary President, Municipal Council,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

SIR,

With reference to your letter No. G.2707 dated the 25th August 1916 and reminder No. G.7141 dated the 30th November 1916, requesting that immediate steps may be taken to acquire Survey Nos. 95, 96 and 97 of Sampigeyhally village and to hand them over to the Superintendent, Government Gardens, I have the honor to state that preliminary enquiries in the case have just been completed and awards have to be passed. On this being done, the properties will be taken possession of and handed over to the Superintendent of the Government Gardens.

I have the honor to be,
Sir,
Your most obedient servant,

K P Puttannachett

Honorary President.

C.R.G.

1916-17

From The Honorary President
Municipal Council
Bangalore city

To The Secretary to the
Government of Mysore
Revenue Department
Bangalore

Dated 14th } December 1916.
Despatched 18th }

Received

General No.
No.

Enclosure No.

Submitting that action has
been taken to acquire Survey
Nos 95, 96 and 97 of Sampige
halli Village and that on
Completion of the
formalities will be in a position
to hand over the Sub-division
to the Government

DIARY NO.....9678

19 16 19 17

SECTION.

FILE NO. 102-15

SAL NO. 6

B. M. 109]

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED 3rd May 1917.

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P. PUTTANNA CHETTY, ESQ.,
Honorary President, Municipal Council,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

SIR,

With reference to your letter No. G.2707 dated the 25th August 1916 requesting that immediate steps may be taken to acquire Old Survey Nos. 95, 96 and 97 of Sampigeyhally village and place them in possession of the Superintendent, Government Gardens, I have the honor to state that the three properties have been acquired and compensation awarded and the Municipal Engineer has been requested to take charge of them and hand them over to the Superintendent, Government Gardens.

I have the honor to be,
Sir,
Your most obedient servant,

K P Puttanna Chetty
Honorary President.

C.R.G.

hon

GFB-

1916-17

From The Honorary Secretary
Municipal Council
Bangalore city

To The Secretary to the
Government of Mysore
Revenue Department
Bangalore

Dated 3rd } May 1917
Despatched 4th }

Received

General No. 1.9
No.

Enclosure No.

Submitting that Survey
nos: 95 96 F and 97 of Sampige-
halli Village, have been —
acquired & that arrangement
has been made to hand them
over to the Superintendent
Govt Gardens.

C9 19

G.R.S. 28]

GEN. & REVENUE SECRETARIAT. RECEIVING Sec. 8 MAY 1917

Diary No. of letter replied to 9678

GENERAL AND REVENUE SECRETARIAT.
( )

, the 191 .

Date of issue 14th May 17

Signed by Mr DEJ Acja

Jm File No. 102 - 15
Serial No. 7

Proceedings of the Government of His Highness the Maharaja of Mysore

READ—

Correspondence ending with letter No 401 d 3/4. 5. 17 from the Hon: President Municipal Council Bangalore city

~~ORDER THEREON.—NO.~~

submitting that survey nos 95, 96 and 97 of Sampigehalli Village have been acquired & that necessary ~~records have also~~ confirmation awarded & the Municipal Engineer P.T. Comm

SUBJECT.

GPB—50,000—1-12-12

8/15

have been requested to take charge
of them and hand them over to the
Supdt Govt Gardens

Bangalore

Recorded

8/5/17

for Secy to Govt

Genl Depts

To

The Vice President.

Municipal Council

Bangalore

Sir

I have the honour to be

Your most obedient servant

[illegible]

C10 21

G. R. S. 26]

Jm. File No. 102-1
Serial No. 8

Diary No. of letter replied to .....

No. G 15348
ire

General and Revenue Secretariat
( )
, the 191 .

To

The Hon'ble President
Municipal Council
Bangalore

Date of issue 14th May 17

Signed by Mr. Yegnaiyar

Sir,

I am directed to forward herewith a copy of Go No:
G 15346-7 Cdg 14.5.17
I have the
U/S 5/5/(1)
for duly to exist
Genl report

DM
9.5.17

over.

SUBJECT.

Law/1015